

REMARKS

I. Status of the Application

Claims 1, 3-10, 17-20 and 24-27 are pending in this application. Claims 6-9, 17 and 24-27 have been withdrawn from consideration at some point. In the November 12, 2004 office action, the Examiner:

1. Withdrew claims 7-9 from further consideration as being drawing to a nonelected species, and there allegedly being no allowable generic or linking claim;
2. Allowed claims 18-20;
3. Rejected claims 1, 3 and 10 under the judicially created doctrine of obviousness-type double patenting, over claims 1, 3 and 10 of U.S. Patent No. 6,304,447 in view of U.S. Patent No. 5,991,153 to Heady et al. (hereinafter "Heady");
4. Rejected claims 4-5 under the judicially created doctrine of obviousness-type double patenting, over claims 1-3 and 10 of U.S. Patent No. 6,304,447 in view of Heady, in further view of U.S. Patent 4,684,328 to Murphy et al. (hereinafter "Murphy");
5. Rejected claims 1, 3 and 10 under 35 U.S.C. § 102(e) as allegedly being obvious over Heady in view of U.S. Patent No. 4,302,793 to Rohner (hereinafter "Rohner");
7. Rejected claims 4-5 under 35 U.S.C. § 103(a) as allegedly being obvious over Heady in view of Rohner in further view of Murphy; and
8. Withdrew claim 6 as allegedly being drawn to a non-elected species.

In this response, applicants have cancelled all of the rejected claims without prejudice. Applicants request reinstatement of claim 27, which had been withdrawn but

depends from what is now an *allowed* generic claim, claim 18. Applicants have further added new claims 28-31 which all depend directly or indirectly from allowed claim 18. Entry of this amendment is earnestly solicited, because the only remaining claims have subject matter deemed allowable by the Examiner.

II. New Claims 28-31 Are in a Condition for Allowance

Claims 28-31 all depend directly or indirectly from claim 18, which has been allowed. Moreover, claims 28-31 merely combine elements of existing claims in different ways. Accordingly, it is respectfully submitted that new claims 28-31 are in a condition for allowance.

With regard to claim 27, claim 27 appears to have been withdrawn from consideration before claim 18 was deemed allowable. Because claim 18 is now allowable, it is respectfully requested that claim 27 be reinstated into the case before issuance.

III. The Rejected Claims Have Been Canceled

All of the withdrawn and canceled claims, except withdrawn claim 27, have been canceled, without prejudice. Applicants' nevertheless traverse the rejections, which were carefully laid out in the November 12, 2004 office action. However, as this case has been pending for almost five years, and has had no less than five office actions on the merits, simple expedience requires that the applicants merely allow the allowed claims to issue.

IV. Conclusion

For all of the foregoing reasons, it is respectfully submitted that the application is in a condition for allowance. Favorable reconsideration and allowance of this application is, therefore, earnestly solicited.

Respectfully Submitted,



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